

UNITED STATES GOVERNMENT

# Memorandum

Assoc. Dir. \_\_\_\_\_  
Dep. AD Adm. \_\_\_\_\_  
Dep. AD Inv. \_\_\_\_\_  
Asst. Dir.: \_\_\_\_\_  
Admin. \_\_\_\_\_  
Comp. Syst. \_\_\_\_\_  
Ext. Affairs \_\_\_\_\_  
Files & Com. \_\_\_\_\_  
Gen. Inv. \_\_\_\_\_  
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Spec. Inv. \_\_\_\_\_  
Training \_\_\_\_\_  
Legal Coun. \_\_\_\_\_  
Telephone Rm. \_\_\_\_\_  
Director Sec'y \_\_\_\_\_

TO : Mr. Gallagher

DATE: 1/19/77

FROM : J. S. Peelman

- 1 - Mr. Adams
- 1 - Mr. Gallagher
- 1 - Mr. Mintz (Att: Office Of Congressional Affairs)
- 1 - Mr. Leavitt
- 1 - Mr. Moore
- 1 - Mr. Peelman
- 1 - Mr. [REDACTED]
- 1 - Mr. [REDACTED]

SUBJECT: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY  
11/22/63

**PURPOSE:** To furnish information in rebuttal to a Jack Anderson and Les Whitten article appearing in the 1/17/77 edition of "The Washington Post," entitled "U.S., Cuba Had Germ Warfare Plans," (copy attached) wherein it is alleged that the FBI had in its files at least 69 reports on the pre-assassination activities of Lee Harvey Oswald. Only 46 of these were summarized for the Warren Commission; the remaining 23 were held back."

**SYNOPSIS:** An itemization of 69 documents comprising the Lee Harvey Oswald pre-assassination file (105-82555) was furnished to the Warren Commission by letter on 5/4/64 and these documents were reviewed by a staff member of that commission on 5/4/64. This 5/4/64 letter to the Warren Commission described each of the 69 documents and was published as Commission Exhibit 834.

Additionally, a 10/29/75 inquiry relating to Oswald's pre-assassination file was received from the House Subcommittee on Civil and Constitutional Rights, Committee on the Judiciary and was answered. During November and December 1976, excised copies of the 69 documents were reviewed by Congressman Christopher Dodd, a member of the Subcommittee.

No basis found for allegation that Oswald pre-assassination material withheld.

**RECOMMENDATION:** None. For information.

APPROVED:

Director \_\_\_\_\_  
Asst. Dir. \_\_\_\_\_  
Dep. AD Adm. \_\_\_\_\_  
Dep. AD Inv. \_\_\_\_\_

Adm. Serv. \_\_\_\_\_  
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[Handwritten notes and signatures]

Peelman to Gallagher Memorandum  
Re: ASSASSINATION OF PRESIDENT JOHN F. KENNEDY

DETAILS: Attached is a copy of a 9/17/76 Bureau letter to the Assistant Attorney General, Office of Legislative Affairs, enclosing an LHM (attached) captioned, "House Subcommittee on Civil and Constitutional Rights Committee on the Judiciary," dated 9/17/76, wherein it is pointed out that a 5/4/64 letter from Mr. Hoover to Mr. Rankin identified the 69 documents constituting the Oswald file prior to the JFK assassination.

In addition, the 9/17/76 LHM points out that on 5/4/64, Mr. Samuel Stern, staff member of the Warren Commission, made an item-by-item comparison of the file (A. H. Belmont to Mr. Tolson memorandum, 5/5/64) with the itemization of documents set forth in Mr. Hoover's 5/4/64 letter which is identified as Warren Commission Exhibit 834 and is published in Volume XVII, pages 804-813 of the "Hearings Before The President's Commission On The Assassination Of President Kennedy." (Copy attached).

On 11/17/76, Congressman Christopher Dodd and Alan Parker, Chief Counsel of the Committee on Civil and Constitutional Rights of the House Judiciary Committee, reviewed excised copies of 69 documents that comprised the Bureau's file on Lee Harvey Oswald at the time of the assassination of President Kennedy. Congressman Dodd spent approximately three and one half hours on this review but failing to complete same, he expressed a desire to return to FBI Headquarters during the week of 11/22-26/76 to finish his review. Records of the Office of Congressional Affairs (OCA) reflect that Congressman Dodd returned to FBIHQ, 12/17/76, to continue this review, following which, he advised further review was required which he would arrange through OCA. He has not returned as of this date.

Approximately 40 volumes of files were reviewed for the pertinent time frames in the Warren, Oswald and other files in an effort to resolve the allegation that "46" reports "were summarized for the Warren Commission" and "23 were held back." No factual basis for such an allegation was found during that review.

In addition, the 69 items listed in the 5/4/64 letter to the Commission were compared against the actual file documents. It was found that 55 of the 69 were serialized documents and 14 were unrecorded serials in the file. No basis for a 46 to 23 ratio was found as a result of that comparison.